

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Belardinelli et al.	:	
	:	
Plaintiff(s),	:	
-V-	:	
Concepts in Staffing, Inc. et al.	:	15 Civ. 4935 (KBF)
	:	
Defendant(s).	:	<u>SCHEDULING ORDER</u>
	:	

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [**do** ☐ / **do not** ☒] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹

2. Close of fact discovery: May 2, 2016. [**within 4 months unless the case is particularly complex**]

3. Close of expert discovery: May 27, 2016. [**25 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses**]

The parties contemplate experts in this matter for the following subject(s): none at this time.

4. [**For F.L.S.A. actions only**] Plaintiff(s) [**do** ☐ / **do not** ☒] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

Proposed briefing schedule:

Opening:		[30 days after initial conference]
Opp'n:		[21 days after opening brief]
Reply:		[7 days after opposition brief]

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

5. The parties [**do** ☒ / **do not** ☐] anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s) summary judgment and motion to dismiss.

Proposed briefing schedule:

Opening: May 27, 2016 [no later than item 3]
Opp'n: June 17, 2016 [21 days after opening brief]
Reply: June 24, 2016 [7 days after opposition brief]

Last dates to file; motions may be brought at any time.

*** Only Plaintiffs request*

6. Trial [**will** ☒ / **will not** ☐] be before a jury trial by jury.

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

7. The next status conference is set for _____ at _____.
8. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due:
_____.
9. The Final Pretrial Conference ("FPTC") is set for _____ at _____.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)²

10. Trial in this matter shall commence on _____. Trial is anticipated to take _____ [days / weeks].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York
_____, 2015

KATHERINE B. FORREST
United States District Judge

² Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.